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SENSITIVE
SIPDIS

STATE FOR VCI/CCA, EUR/RPM
NSC FOR NILSSON, HAYDEN
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TAGS: KCFE OSCE PARM PREL
SUBJECT: CFE/JCG--JULY 7: RUSSIA INSISTS FLANK LIMITS MUST GO; CLAIMS NATO EQUIPMENT CEILING VIOLATIONS

¶11. (SBU) Summary. At the July 7 Joint Consultative Group (JCG), Belgium delivered a joint statement on behalf of 22 NATO states, criticizing Russia for not providing its supplementary flank data as of 1 July as required by the Flank Agreement. Using this segue, Russia (Ulyanov) referred to the third item in the Russian Aide-Memoire and stated emphatically that the Russian position on removing the flank limitations on Russia is uncompromising. Ulyanov said the flank issue has to be resolved as part of a package solution and is necessary to restore the CFE Treaty.

¶12. (SBU) In support of its claim that NATO has violated the CFE Treaty, Russia presented figures indicating percentages exceeded in all categories. The U.S., Germany and Turkey rejected Russian allegations and reminded Russia that without having Russia's data it was impossible to understand or verify Russia's claim. See Comment in para 17. End Summary.

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Belgium Reads a Joint Statement Reproaching Russia
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¶13. (SBU) At the 7 July 2009 JCG, Belgium (Kenes) delivered a joint statement (on behalf of Germany, the U.S., Belgium, Bulgaria, Canada, Denmark, Spain, France, the U.K., Greece, Hungary, Iceland, Italy, Luxembourg, Norway, the Netherlands, Poland, Portugal, Romania, Slovakia, the Czech Republic, and Turkey) which noted that Russia failed to provide its additional data on July 1 for battle tanks, armored combat vehicles and pieces of artillery in the flank region as required by the Flank Agreement. (See JCG Journal 699 for full text) Russia was encouraged to resume full implementation of the CFE regime without further delay, including the provision of this data, consistent with its obligations.

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Coincidentally, Russia Wanted to Discuss Flank Holdings
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¶14. (SBU) Russia (Ulyanov) immediately took the floor to continue his comments on the Aide-Memoire; focusing on the third paragraph which deals with the flank issue. Ulyanov reminded colleagues that the issue of the flanks was resolved

in 1990, but that subsequent geo-strategic changes, such as the dissolution of the Soviet Union and the Warsaw Pact, prompted flank problems to emerge. Ulyanov complained that Russia had ended up with a small quota and yet had a very large territory. For a flank that comprised over 2.3 million square kilometers (a territory larger than the aggregate of the U.K., Italy, France, Germany, Poland, Lithuania, Latvia, Estonia and Romania) Russia had slightly more than 700 battle tanks, 580 ACVs, and 1008 artillery pieces for its whole flank region. Russia's Northern Caucasus Military District that had previously been a rear district in Soviet times was suddenly a border district in an unstable region. Despite raising concerns to other State Parties, Russia's concerns were not heeded as NATO was happy that Russia was disadvantaged. The position of the NATO countries only changed when they realized that Russia was willing to take unilateral actions to correct this disparity.

¶ 15. (SBU) In May 1996 during the Review Conference, the Flank Document was agreed to and signed. Ulyanov stated that, even though it was an additional burden, Russia had committed to provide semiannual supplemental flank data and allow up to 10 additional inspections per year under this document. Ulyanov was not sure why Russia agreed to such terms then, and mused that perhaps because of its commitment to arms control. However, Ulyanov claimed that this was not part of the CFE Treaty and therefore not a legal obligation. When A/CFE was signed in 1999, these provisions were also agreed by Russia in order to preserve the arms control regime. But, this fragile balance was de facto violated by NATO Alliance expansion when Romania, Bulgaria, and the three Baltic states

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joined NATO. The flank agreement was torn in tatters because of these accessions. Despite this situation, Russia still ratified the A/CFE in 2004. When it was clearly understood in Moscow the imbalance of the situation, Russia decided suspension was necessary to restore the viability of the regime.

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New Flank Agreement Needed to Restore CFE Viability
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¶ 16. (SBU) Ulyanov went on to note that there are three preconditions for reaching agreement on a new flank agreement. First, a flank balance/equilibrium must be restored. Ulyanov alleged that in the flank, currently NATO states collectively have 12 times more Battle Tanks (BT) than Russia and that there are even some individual countries in the southern region that have 5 times more BT than Russia. Similar advantages are present in other equipment categories as well. This equates to one force dominating Europe militarily. Second, of a political nature, the territorial sub ceilings only apply to Russia and parts of Ukraine. Russia must be on an equal footing with other countries. Third, the flank ceilings impede Russia's ability to fight terrorism in the southern region. Ulyanov stressed that this might be the most important reason that Russia insists on lifting the territorial sub-ceilings.

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We're Not so Bad, are Trying to Work with You
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¶ 17. (SBU) Ulyanov then offered examples of how it has tried to take into account partner views. In May 2008, Russia's former Chief of General Staff suggested that the flank regime should extend to parts of Europe (Bulgaria and Romania); the exception being Turkey which has areas that are not in the zone of application. Russia remains ready to work on this proposal, but NATO positions remain static, its arguments unconvincing, and there has been no progress on NATO positions. The flank issue must be part of the package solution.

¶ 8. (SBU) The third precondition for reaching agreement involves the possibility that a partner needs additional CSBMs, and Russia is willing to consider this approach. Ulyanov stated that Russia itself needs no more CSBMs, however if another partner feels like they are necessary then that country need only elaborate its concerns and propose CSBMs. Russia will consider these as long as the abolition of the legally binding sub ceilings occurs.

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U.S. Reply: Cannot Discuss Russian Claim without Data
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¶ 9. (SBU) The U.S. (Neighbour) replied to Russia's charges by briefly observing that the flank issue is one that will not/not be resolved in the JCG. There are first order issues that must be overcome in the existing high-level bilateral channels, augmented with Allies, before discussions in other venues can be productive. He added that Allies have listened to Russia and have revised the flank limits twice in response to Russian concerns. For instance, under A/CFE Russia is allowed 1500 battle tanks in the flank, a very large force. Neighbour expressed concern that today, SPs do not know how much TLE Russia actually has. Since Russia's current data is not available, we can't accurately address the Russian claims, such as NATO has twelve times as many tanks. The U.S. urged Russia to provide the Treaty data so that everyone may understand. The U.S. also observed that A/CFE would address Russian concerns expressed today. The way forward to A/CFE is the Parallel Actions Package.

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And Turkey Joins In
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¶ 10. (SBU) Turkey (Begec) thanked Russia for its comments and then proceeded to point out that although Russia claimed that the status of the flank commitments was not provided for in the Treaty, if one looks at Article 14, paragraph 1, it states that the flank regime should remain. Furthermore, two months later there was a JCG decision that stated in Article XIV, paragraph 1, subparagraph 1, that the documents were legally binding and part of the Treaty. Yes, NATO enlarged, but not in the Caucasus and Russia still has far more TLE in that region than the three countries located there. If there are calls for balance in European levels, than there should be balance in regional levels also. More succinctly, Russia's point was irrelevant since Russia's combined TLE is far more than that of the Caucasus states. Turkey agrees that there is some discrimination in the Treaty as Russia had the largest amount of TLE so obviously equality was not a principle enshrined in the beginnings of the Treaty. As for counter terrorism, Turkey says the flank limitations were revised to help the Russia in the Chechyan War. If Russia feels that the remaining three countries in the Caucus region are more threatening than the Chechnya era, then Turkey is ready to reevaluate and give thought to Russia's concerns. Russia's suggestion to expand the flank areas to include the exclusion zone contradicts the essence of the flank agreement. As far as the exclusion of certain areas of Turkey, when Russia is ready to talk about its area east of the Urals, Turkey will engage. Regarding the additional CSBMs for the flank region, Turkey is happy with the current flank agreement and does not need additional CSBMs. Although Russia claims its position is uncompromising regarding flank issues, Turkey sees Russia as merely being uncompromising about the Caucasus. Russia can't explain its relations in the Caucasus only using CFE terms - it should update its foreign policy beyond the Treaty. Turkey reaffirmed its position in accordance with the March 2008 NAC statement and paragraph 57 of the NATO Strasbourg Declaration.

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Russia Draws a Line in the Sand

¶11. (SBU) Russia responded to Turkey with just a "few" comments. Ulyanov again asserted that the flank agreement semi annual information and additional inspections were not provided for in the old (current) Treaty. These requirements are in A/CFE, however that has not entered into force and therefore is not legally binding. Russia is not interested in increasing the ceilings in the flank. This is unacceptable due to the enormous imbalances with NATO. This would be political discrimination against Russia. Moreover, there is a terrorist threat in its south that Russia must be able to deal with effectively without limits and discrimination. Ulyanov said if the Turks don't need additional CSBMs, then neither did the Russians. However if others want to discuss additional CSBMs, then Russia was willing to consider them. He finished by reiterating that if the flank issue is not resolved, CFE is finished.

¶12. (SBU) Ulyanov reminded others that Turkey enjoys a prime position because it has a large zone of exclusion in which they can build up armaments whenever they want. Russia had previously taken note of Turkish requests to bear in mind special conditions for terrorism in southeast Turkey in the early 1990's; Russia is merely asking for the same understanding and support. Ulyanov underscored that its position in regard to the flank issue is uncompromisable and if it is not resolved, restoring the viability of the CFE Treaty cannot be achieved. He closed by emphasizing that "We are not bluffing or playing games or politics. This is our real position and please interpret it this way."

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Turkey Rejoins

¶13. (SBU) Turkey quickly pointed out that it has two exclusion zones: one for VD99 and one for CFE. These zones include territory in its Asian area (vice European). Emphasizing that CFE is a treaty on "European" armed forces, it was Turkey's political goodwill that prompted it to be one of the few countries to accept limitations on its Asian territory under the CFE Treaty. Turkey owes nothing, and if there was a price to be paid, then it was paid at the signing of the 1999 flank agreement. Ulyanov could not resist reminding everyone that several Central "Asian" countries were also part of VD99, obviously not having territory in Europe. Turkey got the last word by repeating that it had stated that it was one of a few countries, not the only exception.

We Were so Naive

¶14. (SBU) Under Agenda item 3(C) Limitations, Russia (Ulyanov) returned to the topic of NATO non-compliance and blatant violation of the established Treaty limits. Acknowledging he has explained this numerous times, Ulyanov said he would re-explain Russia's position since Allies were asking many questions. Ulyanov declared that no single alliance or state should be in a position to dominate others militarily. In 1990 we agreed to achieve balance of group levels, rules of sufficiency, and rejected the concept of hegemony. Equal group ceilings were established, but one group no longer exists - the Warsaw Pact. In 1990, Article 2 of the Treaty listed 16 members of the Washington Agreement, now there are 28 members. As Turkey pointed out last week, CFE does not ban expansion the expansion of alliances, but it does have an impact on the arms regime in Europe.

¶15. (SBU) Today aggregate national ceilings of NATO armaments exceed the treaty limitations although many NATO states have reduced their armament. Ulyanov enumerated that

NATO exceeds BT limitations by 30%, ACVs by 33%, artillery pieces by 26%, combat aircraft by 22% and attack helicopters by 27%. In the flank they have physically (not virtually) surpassed levels of BT by 27%, ACVs by 46%, and artillery pieces by 26%. NATO states should reduce the group levels so they don't violate the Treaty.

¶16. (SBU) NATO pursued expansion without attention to arms control. NATO says that the CFE Treaty limits only apply to the original 16 members. Ulyanov coyly did not want to raise the issue of trans-Atlantic solidarity, but some NATO members claim that new NATO members are not equal to the old members; but this is an internal issue for NATO. Today Belgium spoke for 22 nations, not 28 because 6 of these NATO Allies are not members of this treaty. Yet, all 28 nations are single aggregate wholes. Twenty-eight nations are part of a military alliance and yet some of these countries refuse to join the CFE Treaty. In the early 1990's Russia was naive and trusted NATO promises that it wouldn't expand. Russia trusted that the Baltics would remain neutral, but they went ahead and joined this military treaty and yet they do not want to join the arms control regime. NATO in aggregate violates the group ceilings especially in the flank region. Ulyanov asked when and how its partners intend to remove these violations.

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2nd Round with Russia
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¶17. (SBU) The U.S.(Neighbour) recalled the statements made last week by two state Parties, emphasizing that we should not focus on blocs or alliance groups. That reflects Cold War thinking and it is time to look forward. Referring to

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yesterday's positive statements from the Moscow Summit, Neighbour confirmed that our leaders are not thinking in bloc-to-bloc terms. No blocs are recognized in the A/CFE. A/CFE addresses Russian concerns and remains the way forward. Ulyanov pointed out that perhaps if blocs don't exist, then there should be no more collective statements from NATO. Turkey (Begec) replied by simply stating that it does not accept the Russian allegations that NATO is violating the Treaty and that Russia has no legal claim. As far as the flank agreement is concerned, the geographical scope was narrowed by removing several oblasts (i.e. Pskov, Volgograd, etc) thus reducing the area concerned. Turkey scoffed that now it is unpleasant to be accused of grossly violating the flank agreement.

¶18. (SBU) Germany (Schweizer) attempted to undercut Russia by explaining away the "misunderstanding." Schweizer said that when Belgium spoke it was not representing a bloc, but rather a group of nations who had a common way of thinking. We were simply like-minded states, not a bloc that was threatening Russia. Obviously the limitations are important because they are a separate item on the agenda. Changing tone, Schweizer then asked for Russia to provide the basis for the figures it presented since he recognized that one can always present figures in new ways and can depict things differently. Germany pointed out that it doesn't have data from Russia, but it does from the other 29 countries. Regarding national ceilings, one needs to evaluate circumstances and know the information about serviceability of units, ability to deploy, international missions, etc to put numbers in the proper perspective. In summary, Schweizer stressed that this was a backward way of thinking and that A/CFE had replaced this system with new territorial ceilings.

¶19. (SBU) Russia acknowledged that it had accepted the flank limitations in 1999, but in 2002 this deal was violated by NATO's expansion. These limitations simply are not acceptable anymore. They are unwarranted. Russia is ready to seek common solutions and have serious discussions but its Western colleagues are not ready for that.

¶20. (U) The next JCG will be held on July 14 under Belarus
chairmanship.
Christensen